

Whereas, The present laws of Texas are defective and inadequate, therefore, we, the undersigned citizens of the State of Texas, hereby petition the ensuing Legislature to change the present law:

First. That the penalty for the violation of this law shall be increased so as to eliminate fairs, shows, and races of all kinds, or any kind of an entertainment where an admission fee, or compensation is charged or received.

Second. When any public carrier makes a rate on Sunday, the same rate shall be made on some other day of that week.

Numerously signed.

Senator Cofer also offered a protest against Senate bill No. 269, permitting graduates of the State University (Medical Branch, at Galveston) to practice without license from State Board of Examiners.

TWENTY-THIRD DAY.

Senate Chamber,
Austin, Texas,

Thursday, February 11, 1909.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson in the chair.

Roll call, quorum present, the following Senators answering to their names:

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Senter.
Harper.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Thomas.
Hume.	Veale.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.

Absent.

Terrell of McLennan.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Cofer, the same was dispensed with.

REGULAR ORDER OF BUSINESS.

The Chair called the regular order of business. Aside from petitions and

memorials there was no business, and the Chair declared the morning call concluded.

BILLS AND RESOLUTIONS.

(By unanimous consent.)

By Senator Harper:

Senate bill No. 183, A bill to be entitled "An Act prohibiting nepotism, except with regard to the appointment or confirmation of appointment of notaries public or of one who for five years next preceding the date of such appointment shall have held the position, clerkship or employment or performed the duty to which he may be appointed; making it unlawful for any officer of this State, or for any officer of any district, county, city, precinct, school district or other municipal subdivision of this State, or for any officer or member of any State, district, county, city, school district or other municipal board or judge of any court, created by or under authority of any general or special law of this State, to appoint or to vote for or to confirm the appointment to any office, position, clerkship, employment or duty of any person related within the second degree by affinity or within the third degree by consanguinity to the person so appointing or so voting, or to any other member of any such board or court of which such person so appointing or voting may be a member, when the salary, fees, wages, pay or compensation of such appointee is to be paid directly or indirectly out of or from public funds or fees of office; or to appoint or vote for the appointment or for confirmation of the appointment to any such office, position, clerkship, employment or duty of any person whose services are to be rendered under his direction or control, and to be paid for out of any such public funds or fees of office, and who is related by affinity within the second degree or by consanguinity within the third degree, to any other officer or person included within any of the provisions of this act, for or upon consideration in whole or in part, that such other officer or person has theretofore appointed or voted for the appointment or for the confirmation of the appointment or will thereafter appoint or vote for the appointment, or for the confirmation of the appointment to any such office, position, clerkship, employment or duty of any person related within such prohibited degree of affinity or consanguinity, as the case may be, to such officer or other

person making such appointment; prohibiting the approval of any account or the drawing of any warrant or order for or payment of any salary, fee, wages or compensation of such ineligible person; prescribing penalties for violation of this act and procedure for the enforcement of such penalties, prescribing venue in such cases; requiring district and county attorneys to assist the Attorney General, whenever he shall so direct, in quo warranto proceedings under this act; repealing all laws and parts of laws in conflict with any of the provisions of this act, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Harper:

Senate bill No. 184, A bill to be entitled "An Act to provide for the teaching of agriculture, manual training and domestic science in the State normal schools at Huntsville, Denton and San Marcos."

Read first time, and referred to Committee on Educational Affairs.

(Following bills were referred by Senator Cofer, who was presiding.)

By Senator Alexander:

Senate bill No. 185, A bill to be entitled "An Act to amend Title 30, Chapter 19 of the Revised Civil Statutes by adding thereto Article 1404a, providing that the giving of a supersedeas bond shall not suspend the powers of receivers, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 1.

BILLS READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had referred, after their captions had been read, the following House bills (see message in Journal of yesterday for captions):

House bill No. 221, referred to Judiciary Committee No. 1.

House bill No. 246, referred to Committee on Finance.

SENATE BILL NO. 50.

The special order for this hour being Senate bill No. 51,

On motion of Senator Stokes, the special order of business (Senate bill No. 51) was suspended, and the Senate took up out of its order, Senate bill No. 50, by the following vote:

Yeas—27.

Adams.
Alexander.

Brachfield.
Bryan.

Cofer.
Greer.
Harper.
Hayter.
Holsey.
Kellie.
Masterson.
Mayfield.
Murray.
Paulus.
Peeler.
Perkins.

Real.
Senter.
Stokes.
Sturgeon.
Terrell of Bowie.
Thomas.
Veale.
Ward.
Watson.
Weinert.
Willacy.

Absent.

Hudspeth.
Hume.

Meachum.
Terrell of McLennan.

The Chair laid before the Senate, on third reading,

Senate bill No. 50, A bill to be entitled "An Act to provide for the location of and establishment and maintenance of a State sanatorium for the treatment of persons suffering from tuberculosis, and to provide for the care and treatment of indigent consumptives, and making an appropriation therefor."

The bill was read third time, and

Senator Weinert offered the following amendment:

Amend by striking out the word "two," in Section 12, and insert in lieu thereof the word "four."

The amendment was read and adopted by the following vote:

Yeas—28.

Adams.
Alexander.
Brachfield.
Bryan.
Cofer.
Greer.
Harper.
Hayter.
Holsey.
Hudspeth.
Hume.
Masterson.
Mayfield.
Murray.

Paulus.
Peeler.
Perkins.
Real.
Senter.
Stokes.
Sturgeon.
Terrell of Bowie.
Thomas.
Veale.
Ward.
Watson.
Weinert.
Willacy.

Absent.

Kellie.
Meachum.

Terrell of McLennan.

Senator Murray offered the following amendment:

Amend the bill by adding at end of Section 4, page 2, the following:

"Provided, should said commission find any school land suitable for said sanatorium they shall be and are hereby authorized to so notify the Land Commissioner, and he is hereby authorized

and required to award the said board the land so selected, and the State may purchase the land at the price fixed upon said land by the Land Commissioner. It is expressly provided that the above provision shall not repeal any law now in force, except as above provided."

MURRAY,
STOKES.

The amendment was read and adopted by the following vote:

Yeas—28.

Adams.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Greer.	Senter.
Harper.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Thomas.
Hume.	Veale.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.
Murray.	Willacy.

Absent.

Alexander.	Terrell of McLennan.
Meachum.	

Here Senator Stokes moved that the bill be laid on the table subject to call. The motion prevailed.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, February 11, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 100, A bill to be entitled "An Act to amend Article 4785a, Chapter 6, Title 97 of the Revised Statutes of the State of Texas, 1895, so as to leave Jack county out of the list of counties exempted."

House bill No. 200, A bill to be entitled "An Act to amend Sections 1 and 2, Chapter 9, of the General Laws of the Thirtieth Legislature of the State of Texas, and being an act to amend Sections 1 and 2, Chapter 23, of the Acts of the Twenty-ninth Legislature of the State of Texas, and being an act to amend Sections 1 and 2, Chapter 71, of the Acts of the Twenty-eighth Legisla-

ture of the State of Texas, being an act to amend Section 1, Chapter 24 of the Acts of the Twenty-seventh Legislature of the State of Texas, being an act to amend Section 1, Chapter 28, of an act passed by the Twenty-sixth Legislature of the State of Texas, and sent to the Governor for his approval on the 20th day of May, 1889, entitled 'An Act providing a mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in the following counties, or in any subdivision of said counties, viz.: Cooke, Bell, Ellis, Montague, Fayette, Jackson, Collin, Rockwall, Lamar, Milam, Denton, Falls, Navarro, Fannin, Hunt, Tarrant, Grayson, Guadalupe, Dallas, Austin, Brazos, so as to place Lavaca, Colorado, Washington, Williamson, Smith and Delta counties under the provisions of said chapter, so as to place McLennan, San Patricio, Limestone, Coryell, Kaufman, Rains, Bastrop, Bee, Camp, Caldwell, Calhoun, Cass, Comanche Erath, Hill, Harrison, Hopkins, Jackson, Bosque, Montgomery, Morris, Upshur, Parker, Rusk, Red River, Titus, Trinity, Victoria, Van Zandt, Wise, Walker, Wood, Wilson, Comal, Nueces, Bexar, Eastland, Cherokee and Travis counties under the provisions of said chapter, and to provide for holding an election for the purpose of enabling the freeholders of such counties or subdivisions thereof as may have adopted said law to repeal the same, so as to place Brown, Blanco, Coleman, Callahan, Franklin, Gillespie, Hood, Llano, Jones, Jack, Scurry, Somervell, Taylor and Wilbarger under the provisions of said chapter, and to exempt therefrom the counties of Bee, Calhoun, Jackson, Montgomery, Trinity, Victoria and Walker, so as to place Freestone county under the provisions of said chapter."

Respectfully,

BOB BARKER.

Chief Clerk, House of Representatives.

BILLS READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had referred, after their captions had been read, the following House bills (see above message for captions):

House bill No. 100, referred to Committee on Counties and County Boundaries.

House bill No. 200, referred to Committee on Agricultural Affairs.

SENATE BILL NO. 126.

On motion of Senator Cofer, the special order of business (Senate bill No. 51) was suspended, and the Senate took up, out of its order, Senate bill No. 126, by the following vote:

Yeas—27.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Greer.	Stokes.
Harper.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	Thomas.
Hudspeth.	Veale.
Kellie.	Ward.
Masterson.	Weinert.
Mayfield.	Willacy.
Murray.	

Absent.

Hume.	Terrell of McLennan.
Meachum.	Watson.

The Chair laid before the Senate, on second reading.

Senate bill No. 126, A bill to be entitled "An Act to establish a chair of Homeopathic materia medica and therapeutics in the Galveston Medical Branch of the State University, and instructing the Board of Regents of the State University to engage a teacher identified with the Homeopathic school of medicine to teach this branch of medicine, and to set aside a room or rooms, and to furnish same for didactic and clinical lectures, and declaring an emergency."

There being a majority favorable committee report, and a minority adverse committee report,

Senator Cofer moved that the majority committee report be adopted, and

Senator Perkins moved as a substitute, that the minority committee report be adopted.

Action being taken on the substitute motion first, the same was adopted by the following vote:

Yeas—14.

Brachfield.	Paulus.
Bryan.	Perkins.
Harper.	Senter.
Hayter.	Terrell of Bowie.
Holsey.	Veale.
Masterson.	Watson.
Mayfield.	Weinert.

Nays—11.

Adams.	Real.
Alexander.	Stokes.
Cofer.	Thomas.
Greer.	Ward.
Murray.	Willacy.
Peeler.	

Absent.

Hudspeth.	Meachum.
Hume.	Sturgeon.
Kellie.	Terrell of McLennan.

The adoption of the minority report killed the bill.

SENATE BILL NO. 60.

On motion of Senator Ward, the special order of business (Senate bill No. 51) was suspended, and the Senate took up, out of its order, Senate bill No. 60, by the following vote:

Yeas—25.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Terrell of Bowie.
Harper.	Thomas.
Hayter.	Veale.
Holsey.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.
Murray.	Willacy.
Paulus.	

Absent.

Hudspeth.	Meachum.
Hume.	Sturgeon.
Kellie.	Terrell of McLennan.

The Chair laid before the Senate, on third reading,

Senate bill No. 60, A bill to be entitled "An Act to amend Subdivision 3 of Section 1 of Chapter 107 of the Acts of the Regular Session of the Thirtieth Legislature, pertaining to Article 2989, Title 56 of the Revised Civil Statutes, with respect to the granting of injunctions, and declaring an emergency."

The bill was read third time, and

Senator Alexander offered the following amendment:

Amend Section 2 by inserting in line 27, page 3, of printed bill (line 21, page 7, of engrossed bill), after the word "case," the words, "but such appeal shall not have the effect to suspend the enforcement of the order appealed from,

unless it shall be so ordered by the court or judge who entered the order."

The amendment was adopted by the following vote:

Yeas—23.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Terrell of Bowie.
Greer.	Thomas.
Harper.	Veale.
Hayter.	Ward.
Holsey.	Watson.
Mayfield.	Weinert.
Murray.	Willacy.
Paulus.	

Absent.

Hudspeth.	Meachum.
Hume.	Stokes.
Kellie.	Sturgeon.
Masterson.	Terrell of McLennan.

The bill was finally passed by the following vote:

Yeas—23.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Terrell of Bowie.
Greer.	Thomas.
Harper.	Veale.
Hayter.	Ward.
Holsey.	Watson.
Mayfield.	Weinert.
Murray.	Willacy.
Paulus.	

Absent.

Hudspeth.	Meachum.
Hume.	Stokes.
Kellie.	Sturgeon.
Masterson.	Terrell of McLennan.

Senator Ward moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

VOTE RECONSIDERED AND SPREAD ON JOURNAL.

Senator Weinert moved to reconsider the vote by which the Senate adopted the minority committee report on Senate bill No. 126, and spread that motion on the Journal.

SENATE BILL NO. 49.

On motion of Senator Brachfield, the special order of business (Senate bill

No. 51) was suspended, and the Senate took up, out of its order, Senate bill No. 49, by the following vote:

Yeas—25.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Terrell of Bowie.
Harper.	Thomas.
Hayter.	Veale.
Holsey.	Ward.
Hume.	Watson.
Mayfield.	Weinert.
Murray.	Willacy.
Paulus.	

Absent.

Hudspeth.	Meachum.
Kellie.	Sturgeon.
Masterson.	Terrell of McLennan.

The Chair laid before the Senate, on third reading,

Senate bill No. 49, A bill to be entitled "An Act to require common carriers engaged in moving commerce in the State of Texas to use locomotives which are equipped with ash pans that can be dumped or emptied and cleaned without the necessity of any employe going under such locomotive, and providing penalties for violations of the provisions of such act."

The bill was read third time, and passed.

Senator Brachfield moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 156.

On motion of Senator Mayfield, the special order of business (Senate bill No. 51) was suspended, and the Senate took up, out of its order, Senate bill No. 156, by the following vote:

Yeas—25.

Adams.	Mayfield.
Alexander.	Murray.
Brachfield.	Paulus.
Bryan.	Peeler.
Cofer.	Perkins.
Greer.	Real.
Harper.	Senter.
Hayter.	Stokes.
Holsey.	Terrell of Bowie.
Hume.	Thomas.

Veale.
Ward.
Watson.

Weinert.
Willacy.

Absent.

Hudspeth.
Kellie.
Masterson.

Meachum.
Sturgeon.
Terrell of McLennan.

The Chair laid before the Senate, on second reading,

Senate bill No. 156, A bill to be entitled "An Act to provide for the establishment and maintenance of an agricultural experiment station to be located in the Twenty-eighth Senatorial District, composed of Bosque, Coryell, Hamilton and Bell counties, and making the necessary appropriation therefor."

Senator Mayfield offered the following amendment, which was read and adopted:

Amend the bill by striking out "\$15,000," in line 29, page 1, and substituting therefor "\$10,000."

Senator Mayfield offered the following amendment, which was read and adopted:

Amend bill, line 8, page 1, by striking out "stations," and substituting therefor the word "station."

(Senator Cofer in the chair.)

Senator Adams offered the following amendment:

Amend, beginning at the end of line 18, page 1, Section 1, so as to read "Twenty-seventh or Twenty-sixth Senatorial Districts."

Pending.

ADJOURNMENT.

On motion of Senator Peeler, the Senate, at 1 o'clock p. m., adjourned until tomorrow morning at 10 o'clock.

APPENDIX.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, February 10, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on State Penitentiaries, to whom was recommitted

Senate bill No. 19, A bill to be entitled "An Act to provide for the location and establishment of a factory for the manufacture of cotton bagging, cotton sacks and cotton twine by the board of management of the State penitentiary, for the employment of managing experts

and of certain State convicts in the operation of said factory, and to make an appropriation therefor,"

For the purpose of consulting with the Penitentiary Board, and having consulted with the said board, I am now instructed, after having the same under consideration, to report same back to the Senate with the recommendation that it do pass, with the following amendments:

Amend by having the word "and" between the words "authorized and empower," in line 15, page 1, of the printed bill, and by striking out in the same line the words "and directed"; also the word "build"; amend further by striking out, in line 16, same page, the words "cotton bagging"; amend further by inserting in line 17, same page, after the word "twice," the following: "And cotton bagging, if practicable"; amend further by striking out, on page 2, at the end of line 6, the word "and," and at the beginning of line 7, the word "fifty," and that it be not printed.

WEINERT, Chairman.

Committee Room.

Austin, Texas, February 10, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 60, A bill to be entitled "An Act to amend Subdivision 3 of Section 1 of Chapter 107 of the Acts of the Regular Session of the Thirtieth Legislature, pertaining to Article 2989, Title 56 of the Revised Civil Statutes, with respect to the granting of injunctions, and declaring an emergency,"

And find the same correctly engrossed.

WARD, Chairman.

PETITIONS AND MEMORIALS.

By Senator Cofer:

Sherman, Texas, February 1, 1909.

R. E. Cofer, Senator, Austin, Texas:

Plumbers' Union No. 325, Sherman and Denison, requests your favorable consideration of plumbers' bill.

G. B. CARLSON, President.

Also, a petition in favor of fellow servants' bill, assumed risk bill and against garnishment bill.

Also, a petition in favor of Sunday laws pending, signed by Jno. M. Barcus, Secretary Northwest Texas Conference.

By Senator Adams:

We, the undersigned customers of the J. R. Watkins Medical Company of Winona, Minn., represented in Mills county by John A. Tackett, earnestly request that you vigorously oppose the druggist bill as unfair and un-American. That we are fully satisfied with the Watkins plan of selling direct to us and giving us a better quality and fresher goods at the regular price of goods of like nature bought elsewhere. That he is an honorable man, contributes as much to the upbuilding of our county and pays as much taxes as any of the druggists who are opposing him in trying to have this unfair tax passed. That if you repeal the present tax and make it \$100 per annum instead of \$150 it will be more fair and equitable.

Numerously signed.

By Senator Paulus:

Senator D. A. Paulus, Austin, Texas.

Dear Sir: We, the undersigned citizens of Austin and adjoining counties, herewith respectfully ask you to use your influence against the enactment of Senate bill No. 93, which was introduced by the Hon. Mr. Terrell of Bowie county, regulating telephone companies, in that a premium is placed upon litigation against telephone companies in providing for a penalty of \$500, divided three-fourths to the person aggrieved and one-fourth to the county in which the suit for the above penalty is brought, in that the enactment of this provision would seem to be a direct invitation and inducement to bring fictitious suits and extort money from telephone companies, which suits it would be extremely difficult for the telephone company to disprove, the inducement being great to trump up charges, and the immediate result would be to put owners of the numberless telephone lines in the rural communities at a great disadvantage. We regard it that the present laws are entirely adequate in furnishing redress for damages actually suffered by over-charges on the part of telephone companies and others.

Numerously signed.

Eagle Lake, Texas, February 3, 1909.
Hon. D. A. Paulus, Austin, Texas.

Dear Sir: We, the undersigned, do hereby petition you to vote favoring the enactment of a bill which will be presented in the Thirty-first Legislature, asking that body to submit to a vote of the people at the next regular election,

the question of a constitutional amendment, allowing any person holding a just and legal claim against another, to garnishee as much as 10 to 25 per cent of any wages or salary that may be due to such debtor by another, to be applied to the payment of such claim. This is not intended to work undue hardship on any one indebted, but it is hoped that such a law will have a tendency to educate those contracting debts in Texas to more economic habits, and to have a greater regard for truth, honor and fidelity to their fellowman.

Under our present laws, the very nature and construction of which show an unmistakable tendency to shield the "dead beat," and encourage them in defeating payment of their honest debts, one may lend to another his time, knowledge and merchandise, either for profit or without compensation, means with which to shelter, clothe and feed his family, and has no power in any court of Texas by which he can collect for same, where those so accommodated refuse to pay. Through the operation of these laws, which are the very essence of the basest class legislation, many a fortune has been lost and many a business man censured for failures for which these laws alone are responsible.

Therefore, we petition you not to create a law favoring one class, but to give us laws of equity between man and man; laws that will reward honesty rather than encourage rascality; in other words, a "square deal for all and special privileges for no one."

Numerously signed.

Senator Adams offered a memorial from citizens of Dublin, opposing House bill No. 185.

By Senator Thomas:

Cooper, Texas, February 4, 1909.

Mr. H. Bascom Thomas, State Senator, Austin, Texas.

Dear Sir and Friend: We, the undersigned farmers and taxpayers of Delta county, hereby protest against the passage of Texas Senate bill No. 11, House bill No. 97, House bill No. 93, Senate bill No. 19, and particularly against the passage of Senate bill No. 9, which provides for an unjust, unreasonable and prohibitive license for itinerant venders of medicines. As free American citizens we wish to be able to purchase goods wherever we please, which would be impossible if this bill was passed. We consider that a license for itinerant venders of medicine, etc., should not exceed \$75

per annum in each county, and should be payable to the road and bridge fund in the county where the business is transacted.

Numerously signed.

TWENTY-FOURTH DAY.

Senate Chamber,
Austin, Texas,
Friday, February 12, 1909.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

Roll call, quorum present, the following Senators answering to their names:

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Senter.
Cofer.	Stokes.
Greer.	Sturgeon.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Thomas.
Hudspeth.	Veale.
Hume.	Ward.
Kellie.	Watson.
Masterson.	Weinert.
Mayfield.	Willacy.
Paulus.	

Absent.

Meachum. Murray.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Perkins, the same was dispensed with.

EXCUSED.

Senator Paulus for last Thursday, Friday and for Monday, Tuesday and Wednesday of this week, on account of important business and sickness.

Senator Terrell of McLennan for yesterday, on account of important business.

PRIVILEGE STATEMENT.

By Senator Paulus:

Mr. President: Not having been present on last Monday when the vote was taken on the resolution in which the Senate was accused of being intimidated and harassed by lobbyists, I desire to be recorded as voting "nay," on said motion because I have neither been embarrassed, molested nor intimidated by

any lobbyist or any one else and no one has endeavored to embarrass, molest or intimidate me.

I ask consent of the Senate that this be printed in the Journal.

PAULUS.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, February 12, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 162, A bill to be entitled "An Act to create and establish a criminal district court in and for the county of Harris; to provide for the election of a judge and clerk thereof; to repeal all laws establishing and providing for a criminal district composed of the counties of Galveston and Harris, and to give to the district courts of Galveston county the criminal jurisdiction of district courts of this State as provided for by Section 8, Article 6, of the Constitution of this State," with engrossed rider.

House Concurrent Resolution No. 7, Relative to printing of the Texas Legislative manual.

Substitute Senate bill No. 43, A bill to be entitled "An Act to authorize the formation, creation and establishment of navigation districts to improve rivers, bays, creeks and streams, to construct and maintain canals and waterways to permit of navigation or in aid thereof by the commissioners courts of the several counties in this State or by navigation boards; to provide for the creation and organization of navigation boards where a city or cities, or part or parts thereof, acting under the limits and boundaries of said navigation districts, and defining the powers of such navigation boards; authorizing the ordering and holding of elections for the purpose of voting on the establishment of such districts, and authorizing the issuance of bonds and levy of tax, and the issuance of bonds in payment of such bonds and interest and sinking fund thereon; the appointment of navigation and canal commissioners of such navigation districts for the purpose of carrying into effect the provisions of this act; granting the right of eminent domain to such navigation districts or navigation and canal commissioners, and